

D O C U M E N T

UNITED NATIONS GENERAL ASSEMBLY

ITEM 25:

KHMER REPRESENTATION

AT THE UNITED NATIONS

- 1974 -

TO THE KHMER PEOPLE,

WHO HAVE SUFFERED ENOUGH...

by

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29th Session of the United Nations
General Assembly

FEBRUARY 1975

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1. BACKGROUND: 1973

On October 9, 1973, thirty-three countries submitted a draft resolution to the United Nations General Assembly calling for the "Restoration of the lawful rights of the Royal Government of National Union of Cambodia in the United Nations" and to "expel the representatives of the Lon Nol group from the seat they illegally occupy in the United Nations and in all its related bodies." With a vote of 59 for, 24 against and 29 abstentions, the General Assembly inscribed the item on its agenda for debate.

Acting in unity, a group of Southeast Asian and Pacific neighbors of the Khmer Republic asked United Nations Secretary-General, Mr. Kurt Waldheim, to allow the Khmers themselves the right to decide who should govern their country, without foreign interference (document A/2254). Malaysia, the Philippines, Singapore, Thailand, New Zealand and Japan told Mr. Waldheim that the Khmer problem is of "vital importance to the countries in the region" and asked that 1) the Khmers be permitted to settle their own political problems peacefully without outside interference, **TO THE KHMER PEOPLE,** political settlement must be realized by all local parties concerned and that 2) the United Nations must not take any initiative which could prejudice **WHO HAVE SUFFERED ENOUGH...** Khmers themselves.

On December 4, 1973, agenda item 106 of the draft resolution (document A/L.714) was brought to the General Assembly floor for debate.

The debate was heated. Liberia made a move to defer the matter for another year.

On December 5, 1973, a roll-call vote on the adjournment of the debate took place: 53 countries voted for adjournment, 50 voted against and 21 abstained. The draft resolution of the 33 was turned back.

Not satisfied with the decision of the General Assembly, the 33 attempted to deny the representation of the Khmer Republic by contesting the Report of the Credentials Committee insofar as it concerned the authority of the Representative of the Khmer Republic. On December 17, 1973, amendment A/L.715 to withdraw credentials from the Representative of the Khmer Republic was put to a recorded vote: 59 countries voted to accept the amendment, 55 voted to reject and 17 abstained.

I. BACKGROUND: 1973

On October 8, 1973, thirty-three countries submitted a draft resolution to the United Nations General Assembly calling for the "Restoration of the lawful rights of the Royal Government of National Union of Cambodia in the United Nations" and to "expel the representatives of the Lon Nol group from the seat they illegally occupy in the United Nations and in all its related bodies." With a vote of 69 for, 24 against and 29 abstentions, the General Assembly inscribed the item on its agenda for debate.

Acting in unity, a group of Southeast Asian and Pacific neighbors of the Khmer Republic asked United Nations Secretary-General, Mr. Kurt Waldheim, to allow the Khmers themselves the right to decide who should govern their country, without foreign interference (document A/9254). Malaysia, the Philippines, Singapore, Thailand, New Zealand and Japan told Mr. Waldheim that the Khmer problem is of "vital importance to the countries in the region" and asked that 1) the Khmers be permitted to settle their own political problems peacefully without outside interference, stating that 2) such a political settlement must be realized by all local parties concerned and that 3) the United Nations must not take any initiative which could prejudice the decision of the Khmers themselves.

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Not satisfied with the decision of the General Assembly, the 33 attempted to deny the representation of the Khmer Republic by contesting the Report of the Credentials Committee insofar as it concerned the authority of the Representative of the Khmer Republic. On December 17, 1973, amendment A/L.719 to withdraw credentials from the Representative of the Khmer Republic was put to a recorded vote: 50 countries voted to accept the amendment, 55 voted to reject and 17 abstained.

II. 1974: TWO DRAFT RESOLUTIONS AND A REQUEST FOR PRIORITY

When the twenty-ninth session of the United Nations General Assembly was convened in September 1974, it had on its agenda item 25, entitled "Restoration of the lawful rights of the Royal Government of National Union of Cambodia in the United Nations."

DRAFT RESOLUTION A/L.733: 37 SPONSORS

On October 1, 1974, a group of 33 countries* led by Algeria submitted draft resolution A/L.733, asking the General Assembly to expel the Khmer Republic from the United Nations and its related agencies in favor of the Royal Government of National Union of Cambodia, RGNUC.

The following is the draft resolution A/L.733:

RESTORATION OF THE LAWFUL RIGHTS OF THE ROYAL GOVERNMENT OF NATIONAL UNION OF CAMBODIA IN THE UNITED NATIONS

Afghanistan, Albania, Algeria, Burundi, Central
African Republic, Chad, China, Congo, Cuba,
Dahomey, Democratic Yemen, Egypt, Equatorial
Guinea, Gabon, Gambia, Guinea, Guinea-Bissau,
Iraq, Libyan Arab Republic, Madagascar, Mali,
Malta, Mauritania, Niger, Romania, Senegal,
Somalia, Sudan, Syrian Arab Republic, Togo,
Uganda, United Republic of Tanzania, Upper Volta,
Yemen, Yugoslavia, Zaire and Zambia: draft
resolution

The General Assembly,

Recalling the purposes and principles of the Charter of the
United Nations,

Recognizing that the Royal Government of National Union of
Cambodia, presided over by Prince Norodom Sihanouk, the Head of State,
is the sole lawful representative of the Cambodian people and of the
State of Cambodia,

* Chad, Malta, Guinea-Bissau and Uganda joined the group later.

Considering that the restoration of the lawful rights of the Royal Government of National Union of Cambodia is in accordance with the purposes and provisions of the Charter,

Decides to restore the lawful rights of the Royal Government of National Union of Cambodia in the United Nations, recognizing its representatives as the sole lawful representatives of Cambodia, and to expel the representatives of the Lon Nol group from the seat they illegally occupy in the United Nations and in all the organizations related to it.

DRAFT RESOLUTION A/L.737: 23 SPONSORS

On October 18, 1974, led by the Association of South East Asian Nations, draft resolution A/L.737 was submitted to the General Assembly by 22 countries urging "the indigenous parties" to "hold talks, with a view to achieving a peaceful settlement of the question of Cambodia," requesting the United Nations Secretary General "to lend appropriate assistance to the parties" and calling on "all Member States to respect the outcome of the talks and decides not to take any other action until the results of these efforts are considered by the General Assembly at its thirtieth session." *

The following is draft resolution A/L.737/Rev.1 known as the resolution of the 23:

RESTORATION OF THE LAWFUL RIGHTS OF THE
ROYAL GOVERNMENT OF NATIONAL UNION OF
CAMBODIA IN THE UNITED NATIONS

Australia, Bahamas, Barbados, Bolivia, Canada,
Colombia, Costa Rica, Dominican Republic, Fiji,
Grenada, Guatemala, Haiti, Indonesia, Japan,
Malaysia, New Zealand, Nicaragua, Paraguay,
Philippines, Singapore, Thailand, United Kingdom of
Great Britain and Northern Ireland and Uruguay:
revised draft resolution

The General Assembly,

Recognizing that the situation in Cambodia is of concern to all Member States and especially to the countries situated close to the area,

*On October 29, 1974, Australia joined the other 22 countries to co-sponsor draft resolution A/L.737. On November 13, 1974, draft resolution A/L.737 was revised. It became draft resolution A/L.737/Rev.1.

Believing that the Khmer people themselves should be allowed to solve their own political problems peacefully, free from outside interference,

Believing also that such political settlement should be reached by the indigenous parties concerned,

Considering that the United Nations should not take any action on the question of representation which may prejudge the decision of the Khmer people themselves and which may prolong their tragic suffering and loss of life,

1. Urges the indigenous parties directly concerned to hold talks, with a view to achieving a peaceful settlement of the question of Cambodia, based on respect for the sovereign rights of the Khmer people;

2. Requests the Secretary-General to lend appropriate assistance to the parties;

3. Calls upon all Member States to respect the outcome of the talks and decides not to take any other action until the results of these efforts are considered by the General Assembly at its thirtieth session.

REQUEST FOR PRIORITY

In a letter dated November 21, 1974 addressed to the General Assembly President, the Permanent Representative of Thailand to the United Nations, His Excellency Anand Panyarachun, a sponsor of draft resolution A/L.737/Rev.1, invoked article 91 of the rules of procedure of the General Assembly in asking that draft resolution A/L.737/Rev.1 be given priority and put to a vote before any other resolutions on this subject (document A/9875).

III. AMENDMENTS PROPOSED BY

SAUDI ARABIA

In the afternoon of November 26, 1974, the General Assembly began its consideration of agenda item 25.

That same afternoon, H.E. Jamil M. Baroody of Saudi Arabia quietly submitted two amendments: one to draft resolution A/L.733 led by Algeria (document A/L/744) and the

other to A/L.737/Rev.1 led by the ASEAN countries (document A/L.745). Shortly before the General Assembly meeting rose at 6:50PM, the President of the Assembly, H.E. Abdelaziz Bonteflika announced that amendments had been submitted to the two draft resolutions by Saudi Arabia under documents A/L.744 and A/L.745 which would be distributed the following day, November 27, 1974.

In the morning of November 27, H.E. Baroodi explained: "Both the draft resolutions /A/L.733 and A/L.737/ Rev.1/ are unsatisfactory I find," and that "I should do something about them; and I did." Speaking about his amendments, H.E. Baroodi stated: "I think that they form a sort of catalyst between the two draft resolutions, a sort of bridge, rather than creating a rift as draft resolutions do in the United Nations -- creating more tension, more dissension and eliciting all kinds of rubrics."

The following is Saudi Arabia's amendments to draft resolution A/L.733 under document A/L.744:

RESTORATION OF THE LAWFUL RIGHTS OF THE
ROYAL GOVERNMENT OF NATIONAL UNION OF
CAMBODIA IN THE UNITED NATIONS

Saudi Arabia: amendments to the draft resolution A/L.733

1. Replace the second preambular paragraph by the following:

"Taking into account that, while the Royal Government of National Union of Cambodia, presided over by Prince Norodom Sihanouk, exercises authority over a segment of Cambodia, the Government of the Khmer Republic still has control over a preponderant number of the Cambodian people,"

2. Replace the third preambular paragraph by the following:

"Considering that the lawful rights of the two Governments are only valid if it is determined that these rights emanate from the sovereign people of Cambodia as a whole,"

3. Add the following paragraph at the end of the preamble:

"Mindful that the conflict in Cambodia is sustained by various external forces,"

4. Replace the operative paragraph by the following paragraphs:

"1. Calls upon all the Powers which have been influencing the two parties to the conflict to use their good offices for conciliation between these two parties with a view to restoring peace in Cambodia;

"2. Requests the Secretary-General, after due consultation, to lend appropriate assistance to the two contending parties^{*} claiming lawful rights in Cambodia and to report on the results to the General Assembly at its thirtieth session."

Below is Saudi Arabia's amendments to draft resolution A/L.737/Rev.1 under document A/L.745:

RESTORATION OF THE LAWFUL RIGHTS OF THE
ROYAL GOVERNMENT OF NATIONAL UNION OF
CAMBODIA IN THE UNITED NATIONS

Saudi Arabia: amendments to the draft resolution
A/L.737/Rev/1

1. Insert the following as the first preambular paragraph:

"Recalling the purposes and principles of the Charter of the United Nations,"

2. Insert the following paragraph after the first preambular paragraph:

"Taking into account that, while the Royal Government of National Union of Cambodia, presided over by Prince Norodom Sihanouk, exercises authority over a segment of Cambodia, the Government of the Khmer Republic still has control over a preponderant number of the Cambodian people,"

3. In the second preambular paragraph, beginning with "Believing", replace "Khmer" by "Cambodian".

4. Insert the following paragraph after the second preambular paragraph:

"Considering that the lawful rights of the two Governments are only valid if it is determined that these rights emanate from the sovereign people of Cambodia as a whole,"

5. In the third preambular paragraph, beginning with the words "Believing also", add the words "without external influence".

6. Delete the last preambular paragraph.

7. Replace operative paragraphs 1 and 2 by the following:

* In his original amendments, the term "two contending Governments" was used, but later H.E. Baroodi replaced the word "Governments" by the word "parties" in both draft amendments.

"1. Calls upon all the Powers which have been influencing the two parties to the conflict to use their good offices for conciliation between these two parties with a view to restoring peace in Cambodia;

"2. Requests the Secretary-General, after due consultation, to lend appropriate assistance to the two contending parties* claiming lawful rights in Cambodia and to report on the results to the General Assembly at its thirtieth session."

8. Delete operative paragraph 3.

IV. DELIBERATION ON PRIORITY

In the afternoon of November 27, 1974, after hearing the general debate in favor of resolution A/L.733 and resolution A/L.737/Rev.1, General Assembly President Bouteflika proposed that the Assembly discuss Thailand's request for priority (document A/9875) in accordance with the rules of procedure.

SENEGAL: "PLOYS AND MANOEUVRES"

His Excellency Medoune Fall, Permanent Representative of Senegal, was first to take the floor. He spoke of "ploys and manoeuvres" made by "certain parties" who wish to "divert the attention of this Assembly from its lofty concerns" and declared that the request for priority is "in direct contradiction of the rules and traditions of the Assembly."

H.E. Fall spoke of Rule 91: "Rule 91 of the rules of procedure says that if two or more proposals relate to the same question the General Assembly shall vote on the proposals in the order in which they have been submitted." H.E. Fall then pointed out that draft resolution A/L.733 was submitted on October 1, 1974, sponsored by 35 delegations ** and was presented in the same words as the draft on which the Assembly was to pronounce itself on December 5, 1973, at its 28th session (document A/L.714), had a decision for adjournment not been taken at that time. On the other hand, according

* See footnote on page 6.

** When draft resolution A/L.733 was submitted on October 1, 1974, there were only 33 countries sponsoring it.

The original draft resolution A/L.737 was submitted by 23 countries on October 13, 1974. Draft resolution A/L.737 was revised on November 13 and became A/L.737/Rev.1 having at that time 23 sponsors.

to H.E. Fall, draft resolution A/L.737/Rev.1 was dated November 13, 1974 and sponsored by 22 delegations.* He continued that the very wording of agenda item 25, "Restoration of the lawful rights of the Royal Government of National Union of Cambodia in the United Nations," clearly indicated the priority of draft resolution A/L.733 of which his country is one of the sponsors.

YUGOSLAVIA: "UNWARRANTED AND UNFAIR"

Mr. Cvijeto Job, Deputy Permanent Representative of Yugoslavia, spoke of Thailand's request for priority as "unwarranted and unfair" because a) it tends to disrupt the orderly proceedings of the Assembly and b) to postpone once more the Assembly's debate and decision "on this urgent matter."

URUGUAY: "ONE OF CONCILIATION AND EQUITY"

H.E. Dr. Carlos Giambruno, Permanent Representative of Uruguay, a sponsor of draft resolution A/L.737/Rev.1, spoke of the draft as "one of conciliation and equity." He said that the draft "does not embody the triumph of one thesis over another. And if we have requested priority, it is due simply to the wish to avoid making this body vote first on a draft that would make the United Nations General Assembly an instrument for collective intervention."

THE PHILIPPINES: "TO ENLIST AID OF SECRETARY-GENERAL"

H.E. Jose D. Ingles, Under-Secretary for Foreign Affairs and Vice-Chairman of the Filipino delegation, told the Assembly that "priority between two or more proposals does not, and should not be made to depend solely on the order in which the proposals have been submitted." He continued: "If priority did depend solely on the order of submission, it would not have been necessary to adopt Rule 91 of our rules of procedure. Rule 91 qualifies the rule that proposals should be voted upon in the order in which they have been submitted by the phrase 'unless [the Assembly] decides otherwise.' Obviously Rule 91 contemplates cases where following the fortuitous order of the submission of draft resolutions would be illogical or impractical."

H.E. Ingles also told the Assembly:

My delegation believes that in the circumstances the nature and the substance of the proposals should be taken into account; indeed, they should be the controlling factor.

*The original draft resolution A/L.737 was submitted by 22 countries on October 18, 1974. Draft resolution A/L.737 was revised on November 13 and became A/L.737/Rev.1 having, at that time 23 sponsors.

In the present case we have, on the one hand, the draft resolution in document A/L.733, which would, without much ado, recognize the Royal Government of National Union, presided over by Prince Norodom Sihanouk, as the lawful representative of the Cambodian people. We have, on the other hand, the draft resolution in document A/L.737/Rev.1, which would caution the General Assembly not to take precipitate action on the matter but to enlist the aid of the Secretary-General to assist the indigenous parties to settle their differences by and between themselves, without outside interference.

Clearly, if we adopted the draft resolution in document A/L.733 right away, apart from the fact that it is illegal and ultra vires, it would not stop the fighting in Cambodia. That is crystal clear. On the contrary, it would encourage or lead to further bitter fighting in Cambodia and would prolong the tragic suffering of its unhappy people. At the same time, we would have thrown away a golden opportunity for the Secretary-General to perform a function inherent in his position, to permit the peaceful settlement of disputes.

SAUDI ARABIA: "ARE YOU AFRAID OF MY AMENDMENTS?"

H.E. Baroody did not inscribe his name on the list of speakers to speak on the issue of priority but he asked to speak. He asked the Assembly: "What will be the result of either of those draft resolutions as they are now, without being amended? What will be the result? Continued strife. And who will pay? The Government of China or the Government of the United States? Perhaps they will pay money -- I do not know -- but who will pay in life and treasure? The Cambodian people, just as the Korean people has paid a stiff price and may pay still more in life and treasure unless we come to some sensible solution."

Speaking about his amendments in documents A/L.744 and A/L.745, H.E. Baroody declared:

...No one dared open his mouth this morning. I was awaiting to see whether my amendments would draw forth some comments; even if anyone was against them, he should say so. They are factual. But no one, nobody of either camp, opened his mouth.

Are you afraid of my amendments? Declare forthwith, if I may say so, you, the delegation of China, and you, the delegation of the United States. Dare you declare 'We accept Baroody's amendments,' and bridge the gap and finish with

this question on a peaceful note . . . Let us not confuse the issues. Let us behave with singleness of mind, instead of gabbling about priorities, instead of getting submerged in ritual and ceremony, while the code of ethics, the moral code, goes begging by the wayside.

Anything that does not lead to peace or at least give peace a chance should be anathema in this Assembly.

Is it too much, Mr. President, before you put anything to a vote, procedural or otherwise, to ask whether either of the two parties -- because there are two parties -- accepts my amendments? I think that if the sponsors of the two draft resolutions accept those amendments, there will be no problem. What is the alternative? The alternative is continued war, and there will be a curse on the heads of those who opt for strife rather than for giving peace another chance.

I formally request you, Mr. President, just to say, as our President: 'Before you vote on anything, even before you vote on priority, I have a request from Baroody'-- I am doing this directly, of course, but I will do it through you -- 'does anyone have any comment as to whether these amendments may be accepted and thereby resolve our problem'?

Just as H.E. Bouteflika called on the Assembly to vote on document A/9875 (Thailand's request for priority), H.E. Panyarachun of Thailand asked for the floor on a point of order.

The Thai Representative said that H.E. Baroody's amendments caught the sponsors of draft resolution A/L.737 by surprise but that they understand the Saudi Arabian attempt "to bridge the differences, basic differences, between the two groups of co-sponsors. He attempted to reconcile those differences and to restore peace and tranquillity not only to the Assembly but also the territory of the Khmer Republic, and particularly to its people."

H.E. Panyarachun, then declared:

Since the representative of Saudi Arabia has come to the rostrum and categorically, and in no

uncertain terms, put the question to both groups of sponsors, I should like now, Mr. President, to respond to his kind request. I should like also to respond to him in the spirit of friendliness and co-operation.

I would merely say, on behalf of the sponsors of the draft resolution in document A/L.737/Rev.1, that we look upon his amendments with favour, and in principle we would be prepared to accept them.

Then H.E. Fall of Senegal took the floor. He said he wished "to draw the attention of the Representative of Saudi Arabia to the fact that amendments cannot be considered until the proposal to which they refer is considered. Now, at present we are considering the matter of priority. After we have decided this we shall then consider the proposals that have been made..."

V. RESULT OF VOTE ON PRIORITY

Following the remarks by the above-mentioned representatives, document A/9875 was put to a vote. A vote was taken by roll-call. Having been drawn by lot by the President of the Assembly, Luxembourg was called upon to vote first.

Below is the result of the vote on priority:

In favor: Luxembourg, Malawi, Malaysia, Mexico, Morocco, Netherlands, New Zealand, Nicaragua, Oman, Panama, Paraguay, Philippines, Qatar, Rwanda, Saudi Arabia, Singapore, Spain, Swaziland, Thailand, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Argentina, Australia, Austria, Bahamas, Barbados, Belgium, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Denmark, Dominican Republic, El Salvador, Fiji, Federal Republic of Germany, Grenada, Guatemala, Haiti, Honduras, Iceland, Indonesia, Iran, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Khmer Republic, Lesotho, Liberia

Against: Madagascar, Mali, Malta, Mauritania, Mauritius, Mongolia, Nepal, Niger, Pakistan, Poland, Romania, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan,

Syrian Arab Republic, Togo, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zaire, Zambia, Afghanistan, Albania, Algeria, Bhutan, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Central African Republic, Chad, China, Congo, Cuba, Czechoslovakia, Dahomey, Democratic Yemen, Equatorial Guinea, Gabon, Gambia, German Democratic Republic, Guinea, Guinea-Bissau, Guyana, Hungary, India, Iraq, Jamaica, Kuwait, Libyan Arab Republic

Abstaining: Nigeria, Norway, Peru, Portugal, Sweden, Trinidad and Tobago, United Arab Emirates, Bahrain, Bangladesh, Botswana, Burma, Cyprus, Ecuador, Ethiopia, Finland, France, Greece, Kenya, Laos, Lebanon

The request in document A/9875 for priority in the voting on the draft resolution in document A/L.737/Rev.1 was adopted by 58 votes to 56, with 20 abstentions.

VI. DEBATE ON AMENDMENTS SUBMITTED BY SAUDI ARABIA

THAILAND: A "MINOR SUBAMENDMENT"

The Representative of Thailand, speaking for the 23 sponsors of draft resolution A/L.737/Rev.1, told the Assembly that they, in fact, had expressed acceptance "in principle" of the amendments submitted by Saudi Arabia.

But, he continued: "I must confess that while we were studying the amendments this afternoon, there was some element in them which caused us some difficulty and concern."

Then, the Thai Representative proposed what he called a "minor subamendment":

We would, however, like to express our hope and our wish that the representative of Saudi Arabia, having gone half way as we have also tried to do, would kindly consider one very minor suggestion in addition to his amendments -- the text of a paragraph which, with due respect

to the representative of Saudi Arabia, I should like to suggest as an additional operative paragraph that would become operative paragraph 3 in his amendment in document A/L.745, and the text would perhaps read something like this:

Decides not to press for any further action until Member States have an opportunity to examine the report of the Secretary-General.

This additional paragraph, which would become operative paragraph 3, does not differ basically from the amendments proposed by the representative of Saudi Arabia, and yet we feel that its addition to his amendment would clarify the situation and make his amendment clearer to the General Assembly.

We, the sponsors of the draft resolution in document A/L.737/Rev.1, are trying our best to meet him half way. We would like to express our hope that the representative of Saudi Arabia will consider our minor subamendment, as read out by me, in a spirit of friendliness and harmony. Naturally, if the representative of Saudi Arabia finds no difficulty or inconvenience in accepting our proposal as read out and finds it possible to incorporate the new paragraph as operative paragraph 3 of his amendments, then on behalf of us sponsors I can state categorically that such a procedure would save the time, not to speak of the money, of the United Nations and would also help to facilitate the smooth proceedings that we have been engaged in tonight. We, the sponsors, would plead with him to find his way clear to accepting our proposal and to including it in his amendment, and we will give full and unequivocal support to the amendment as proposed by the representative of Saudi Arabia.

While I am speaking I should like to take just another minute more of the Assembly's time. I need hardly stress again the importance that we, 200 million people, in Southeast Asia attach to this question of Cambodia. We seek justice. We do not seek an imposed decision from outside. It is the people of Cambodia themselves who have to live with the decision of the United Nations. Decisions in the United Nations cannot change the realities in the field. We who live in New York, in other parts of Asia, in Europe, Latin America,

or Africa, for that matter, can take a decision lightly because we do not have to live with that decision or with the consequences of any unjust decision that we might be tempted to pass in this General Assembly.

MEXICO: A SEPARATE VOTE

H.E. Dr. Carlos Gutierrez Macias, a Representative of Mexico, proposed that a separate vote be taken on paragraph 4 of the amendments submitted by Saudi Arabia in document A/L.745. He also requested a separate vote on the paragraph which the Thai representative just proposed.

ALBANIA: OPPOSITION

H.E. Rako Naco, Permanent Representative of Albania, condemned draft resolution A/L.737/Rev.1 of the 23 countries led by ASEAN states as a "smokescreen" intended to "defend the intervention and aggression of the United States of America and to use the United Nations in order to interfere in the internal affairs of Cambodia." He declared his firm opposition to the draft resolution A/L.737/Rev.1 and urged "all peace-loving countries that uphold justice" to do likewise.

"Furthermore," H.E. Naco continued, "the delegation of Albania is opposed to the amendments presented by the representative of Saudi Arabia."

CUBA: OPPOSITION

The Cuban Permanent Representative, Dr. Ricardo Alarcón de Quesada, affirmed that his delegation would vote against draft resolution A/L.737/Rev.1 and would vote against all amendments submitted in regard to it.

Dr. Alarcón argued that draft resolution A/L.737/Rev.1 "is not a draft resolution."

It is simply an attempt to prevent this Assembly from approving the only draft resolution it has before it, which is essentially the same as the only draft resolution that it had before it a year ago and that could not be voted on then because lengthy procedural manoeuvres were started to prevent us from taking the only just decision there was to take. Those manoeuvres are being resumed tonight in the motion made earlier concerning the so-called priority of this document, which is an anti-draft resolution to the only

draft resolution we have before us. Since the only practical effect of this document is to prevent the General Assembly from taking now the decision it should take -- and this is stated twice in the document, so that there should be no doubt about it -- my delegation must categorically oppose it.

NIGERIA: ABSTENTION

H.E. Dr. E. Ogbu, the Nigerian Permanent Representative, told the Assembly of the policy of non-alignment to which his country adheres.

He said that his delegation has been instructed to abstain on all the draft resolutions in this matter "because we feel that there is a question-mark in our minds as to whether this Organization has given itself sufficient time to take a decision on the best possible course that would be in the best interests of the greatest majority of the people concerned and by the people concerned."

SAUDI ARABIA: ACCEPTANCE OF THAILAND'S SUBAMENDMENT

H.E. Baroodi of Saudi Arabia told the 23 sponsors of draft resolution A/L.737/Rev.1 that he "will meet them more than halfway if the purpose of my amendments... is incorporated in their draft resolution, for no other reason than that I hope they may -- I am not saying they will -- clear the atmosphere between the two contending Governments and enable them to come to an understanding and to see that the people of Cambodia do not suffer."

H.E. Baroodi continued:

"Therefore, my amendments having been incorporated, with my acceptance of this additional paragraph, they are now the property of the sponsors of the draft resolution in question."

Then he appealed to the Representative from Mexico not to ask for separate votes:

I spent so much time to try to have something of integral value. Of all people, my good friends from Mexico, no doubt for a good reason -- perhaps a technical reason -- for heaven's sake, although I may not be a good painter -- in fact I do not paint -- do not take a leg of the horse. It will limp. You are not cutting off the head of the horse. Do not even touch the ear

Representative of the horse because, it might be in pain. I do not wish to say I insist, but I appeal to everyone and more so to my colleague from Mexico, not to tamper any more with texts at this late hour. If they do, I will reopen the debate -- and that is not a threat -- and let us stay here until 4 o'clock in the morning until those who want to daub the painting with something will not know the difference between one colour or another.

ALGERIA: OPPOSITION

The Algerian Permanent Representative, H.E. Abdellatif Rahal, declared that his delegation will vote against draft resolution A/L.737/Rev.1 and against H.E. Baroody's amendments.

Thanking H.E. Baroody for calling him "a Roman emperor" and "a professor" ("I am very much flattered," he said), H.E. Rahal proceeded to say that "the amendments presented by Ambassador Baroody are lacking in logic; indeed, the same can be said of his attitude."

MAURITIUS: OPPOSITION

H.E. Radha Krishna Ramphul, Permanent Representative of Mauritius, told the Assembly that he had searched his conscience and his soul as to how to act in this Assembly concerning the matter in question. "I have come to the conclusion that since my Government recognizes the Royal Government of National Union of Cambodia, I cannot honourably do otherwise than to vote, consistently, all the way, in favor of that Government during the painful exercise now in progress."

THAILAND: POINT OF ORDER

Before President Bouteflika, called on the Assembly to vote on the amendments proposed by Saudi Arabia in document A/L.745, H.E. Panyarachun of Thailand raised a point of order.

The Thai Representative stressed that if he asked for the floor it was due to a "desire to be quite clear in my own mind as to what we are voting upon."

He summarized the situation: H.E. Baroody submitted amendments A/L.744 and A/L.745 to draft resolution A/L.733 and A/L.737/Rev.1 respectively. H.E. Baroody asked the views of the 2 groups of sponsors. Speaking for the sponsors of draft resolution A/L.737/Rev.1, the Thai

Representative said his group agreed with H.E. Baroody's amendments and pleaded with the latter to accept a minor subamendment. H.E. Baroody later replied that he accepted the Thai subamendment and agreed to incorporate that subamendment into his amendments in document A/L.745.

Therefore, the Thai Representative explained, the situation boiled down to this: Since H.E. Baroody accepted the incorporation of the Thai subamendment into the Saudi Arabian amendments in document A/L.745; and, with this acceptance, the Thai Representative, speaking for the sponsors of draft resolution A/L.737/Rev.1, agreed to incorporate the Saudi Arabian amendments into draft resolution A/L.737/Rev.1, there remained no amendments or subamendments, but only a draft resolution which was originally A/L.737 but which would now be revised to include all the amendments and subamendments.

In short, the Thai Representative explained, it is the entire revised version of draft resolution A/L.737 which should be put to a vote.

Thai Representative Panyarachun then pleaded with the Mexican Representative to reconsider his request for separate votes on paragraph 4 of Saudi Arabia's amendments and the subamendment proposed by Thailand.

VII. CONFLICT OVER INTERPRETATION OF RULES OF PROCEDURE

WHAT TO VOTE ON

The General Assembly debate on the Khmer Republic of Wednesday, November 27, 1974 was nothing if not time consuming. It began at 3 o'clock in the afternoon.

About eleven o'clock that night, the General Assembly President Bouteflika, attempted to prod the Assembly's machinery into action by capsulizing the specific items before it at that time. Among these items was a request by the Representative of Mexico, in accordance with rule 89 of the rules of procedure, for a separate vote on paragraph 4 of Saudi Arabia's amendments and on Thailand's subamendment.

Further, the President said that in the spirit of co-operation and tolerance, and contrary to rule 88 of the

rules of procedure, he had permitted the sponsors of draft resolutions and amendments to explain the meaning of their votes as well as to go into the substance of the matter of item 25.

The President then announced that the Assembly must pronounce itself on the initial draft resolution A/L.737/Rev.1, and in accordance with rule 90 of the rules of procedure, the Assembly should have voted on the Saudi Arabian amendments A/L.745, and then the Thai subamendment.

The President concluded:

I should like to have a clear idea of the number of delegations which know exactly what they must vote on or not vote on.

All these amendments have been proposed in the course of the debate and I very much fear that the Assembly might adopt a resolution which is not in accord with what it would have wished to do, taking into account that it is formally seized of a draft resolution and a series of amendments which should have been considered before the draft resolution, and an additional amendment which, this time, has been submitted by the group sponsoring that draft resolution.

If at this late hour our minds are sufficiently alert to make the appropriate distinction and arrive at a resolution which can be presented as a whole for approval by the Assembly, I have no objection to our doing so. If not, we shall have to find a rational working method which will enable every delegation to state its position as its conscience dictates and on the instructions which flow from the policy of each Government.

IVORY COAST: "MUST VOTE ON A/L.737/REV.2"

Adhering strictly to procedure, H.E. Simeon Ake, Permanent Representative of Ivory Coast offered his solution as to what the Assembly should do. In his views, the situation is now as follows:

1. There are two draft resolutions: A/L.733 and A/L.737/Rev.1;
2. Saudi Arabia submitted amendments to the two drafts;

3. Thailand requested priority for draft resolution A/L.737/Rev.1;

On the basis of its rules of procedure, the General Assembly agreed to give priority to draft resolution A/L.737/Rev.1 as requested;

4. The sponsors of draft resolution A/L.737/Rev.1 and the authors of the amendments fully agreed to incorporate the amendments into a revised draft resolution;

5. It follows that the Assembly must vote on the revised draft resolution A/L.737/Rev.1 which is A/L.737/Rev.2.

H.E. Ake continued his reasoning: Now, the point to consider is whether Mexico still wishes to have separate votes on the certain paragraphs he had mentioned. If so, a General Assembly vote on draft resolution A/L.737/Rev.2 would follow. Last, the General Assembly, if it wishes, can vote on draft resolution A/L.733 by first voting on amendments submitted by Saudi Arabia under document A/L.744.

"The situation is very clear," H.E. Ake said, "we must vote on the draft resolution in document A/L.737/Rev.2, bearing in mind the proposal of the delegation of Mexico and in accordance with rule 91 of the rules of procedure, have a separate vote on specified paragraphs."

SRI LANKA: "A/L.737/REV.2 EXISTS ONLY IN IMAGINATION"

H.E. H.S. Amerasinghe, Permanent Representative of Sri Lanka argued that while it is true that the General Assembly voted 58 to 56, with 20 abstentions to give priority to draft resolution A/L.737/Rev.1 sponsored by 23 countries, the General Assembly did not give priority to that same draft resolution A/L.737/Rev.1 as amended by Saudi Arabia.

The Representative of Sri Lanka stressed that what the General Assembly should do is to "decide" whether or not to give priority to draft resolution A/L.737/Rev.2 "which has not yet appeared on the scene but exists only in our imagination."

IVORY COAST: "EXERCISE" OF "FAIR PLAY"

The Ivory Coast Representative, H.E. Ake asked the Assembly for the "exercise" of "fair play."

H.E. Ake argued that the acceptance by the sponsors of draft resolution A/L.737/Rev.1 of Saudi Arabia's amendments to their text made it unnecessary for the General Assembly to have a new vote on the question of the priority of that text; priority had already been given.

H.E. Ake then asked the President of the Assembly that "at this stage you must accept the responsibility of telling us what must be done."

SENEGAL: "CANNOT GIVE PRIORITY TO THAT DOCUMENT"

H.E. Fall of Senegal rose to the floor to defend the Representative of Sri Lanka whom, he said, "put the problem correctly."

H.E. Fall argued that when the Representative of Thailand, on behalf of the sponsors of draft resolution A/L.737/Rev.1, requested priority for that resolution in document A/9875, there were no amendments attached with that request. It was true that the General Assembly agreed to give priority to draft A/L.737/Rev.1 But now, the General Assembly has before it, draft resolution A/L.737/Rev.1 plus amendments. "We cannot give priority to that document," he concluded.

SAUDI ARABIA: "YOU KNOW HOW YOU WANT TO VOTE"

H.E. Baroodi of Saudi Arabia told the Assembly to stop confusing the issue "by invoking shadows of rules of procedure." "Everyone present here knows how he is going to vote," he stressed.

H.E. Baroodi reminded the Assembly that when it was asked to vote on the matter of priority, the Assembly did not pronounce itself on the draft resolutions and the amendments thereto. "Remember that the vote on priority is only procedural and does not touch upon the substance," he added.

H.E. Baroodi told the Assembly: "you know how you want to vote: either for peace or for war" and appealed to the President of the Assembly in these terms:

I appeal to you, Mr. President, not to make a ruling, because you will get into trouble, but with the authority of the presidency to appeal to us all to proceed to the vote after that bulwark of strength, Bradford Morse, our beloved Under-Secretary-General, word for word reads out the draft resolution (A/L.737/Rev.2) serenely, calmly, while each one, if he is in doubt, listens attentively and then we proceed to a vote.

SRI LANKA: "MUST VOTE ON SAUDI ARABIA'S AMENDMENTS"

The Representative of Sri Lanka argued that it is immaterial whether or not the sponsors of draft resolution A/L.737/Rev.1 agreed to incorporate Saudi Arabia's amendments into their text.

The point is that the General Assembly decided to give priority to draft resolution A/L.737/Rev.1 and not to Saudi Arabia's amendments. And, therefore, he continued, the General Assembly must vote on Saudi Arabia's amendments; and if a request for separate votes is made, then the General Assembly must vote separately on the amendments and not on the revised draft A/L.737/Rev.1 as a whole.

SEPARATE VOTES

VOTE ON PARAGRAPH 4 OF SAUDI ARABIA'S AMENDMENTS

Assembly President Bouteflika, summed up the situation, then asked Bradford Morse, Under-Secretary-General for Political and General Assembly Affairs, to read out the text of paragraph 4 in document A/L.745 (Saudi Arabia's amendments) for voting first.

Mr. Morse read paragraph 4 as follows:

Considering that the lawful rights of the two Governments are only valid if it is determined that these rights emanate from the sovereign people of Cambodia as a whole.

The General Assembly was asked to vote on it. The result was 51 votes for, 51 votes against and 31 abstentions.

The President declared paragraph 4 not adopted. Then he invoked rule 95 of the rules of procedure which, he declared applied literally to paragraph 4:

If a vote is equally divided on matters other than elections, a second vote shall be taken at a subsequent meeting which shall be held within forty eight hours of the first vote, and it shall be expressly mentioned in the agenda that a second vote will be taken on the matter in question. If this vote also results in equality, the proposal shall be regarded as rejected.

VOTE ON THAILAND'S SUBAMENDMENT

The President of the Assembly then asked Mr. Morse to read out the subamendment proposed by Thailand and accepted by Saudi Arabia (i.e. operative paragraph 3):

Decides not to press for any further action until Member States have an opportunity to examine the report of the Secretary-General.

The subamendment was adopted by 54 votes to 53, with 27 abstentions.

THE REVISED DRAFT RESOLUTION A/L.737/REV.1

Following the separate votes, President Bouteflika asked Mr. Morse to read out the draft resolution as revised by the inclusion of Saudi Arabia's amendments (A/L.745) except paragraph 4 which was not adopted, and the inclusion of operative paragraph 3 as proposed by Thailand.

The new revised draft resolution A/L.737/Rev.1 reads:

The General Assembly,

Recalling the purposes and principles of the Charter of the United Nations,

Recognizing that the situation in Cambodia is of concern to all Member States and especially to the countries situated close to the area.

Taking into account that, while the Royal Government of National Union of Cambodia, presided over by Prince Norodom Sihanouk, exercises authority over a segment of Cambodia, the Government of the Khmer Republic still has control over a preponderant number of the Cambodian people,

Believing that the Cambodian people themselves should be allowed to solve their own political problems peacefully, free from outside interference,

Believing also that such political settlement should be reached by the indigenous parties concerned without external influence,

1. Calls upon all the Powers which have been influencing the two parties to the conflict to use their good offices for conciliation between these two parties with a view to restoring peace in Cambodia;

2. Requests the Secretary-General, after due consultation, to lend appropriate assistance to the two contending parties claiming lawful rights in Cambodia and to report on the results to the General Assembly at its thirtieth session.

3. Decides not to press for any further action until Member States have an opportunity to examine the report of the Secretary-General.

WHEN TO VOTE FOR THE WHOLE REVISED DRAFT RESOLUTION?

The Representative of Sri Lanka asked why operative paragraph 3, which had been adopted by a vote of 54 to 53, was included in the revised draft resolution which was to be voted as a whole.

He said that a vote on the whole draft could not be taken until 48 hours from now due to the deadlock on paragraph 4 submitted by Saudi Arabia. He argued that the General Assembly could not vote on the revised draft as a whole until a final decision was reached on paragraph 4.

The Representative of Saudi Arabia stated that the General Assembly should vote on the resolution as a whole now with one proviso: If a delegation wants the General Assembly to vote on the paragraph with a tied vote then the General Assembly shall do so. He then suggested that if he were a sponsor of the draft resolution in question he would simply drop the paragraph to simplify the matter.

The Representative from Senegal rose to say that rule 95 does not allow the General Assembly to take a second vote on paragraph 4 at the same meeting, there must be a maximum lapse of 48 hours. He proposed that either the General Assembly postpone the vote on the whole text or vote on the text without paragraph 4.

The Representative from Thailand made a formal proposal to "forgo the pleasure of another vote" on paragraph 4 as the Representative of Saudi Arabia had suggested, saying the sponsors of the resolution have no objection to dropping it from the text.

The Representative from Cuba registered his protest "at the manner in which some delegations are not just attempting to manipulate the Assembly and disregarding the rules of procedure, but are lacking in basic respect for all of us."

The Cuban Representative argued that the rules of procedure state very clearly that when there is a tie vote,

a second vote can take place 48 hours after, and this rule cannot be altered on the basis of agreements between neighboring delegations or on the basis of some whim. He said that his delegation "considers it absolutely impossible to do anything other than taking a vote on the whole of the rest of the draft resolution."

The Representative of Algeria argued that paragraph 4 cannot be withdrawn from a vote. The General Assembly can vote on what is left of the draft resolution and at the next meeting it can vote on paragraph 4 again. At the end, he said, the General Assembly can then vote on the whole draft resolution.

At this point, the President of the General Assembly called the attention of the Assembly to rule 80 of the rules of procedure which he read:

A motion may be withdrawn by its sponsors at any time before voting on it has commenced, provided that the motion has not been amended. A motion thus withdrawn may be reintroduced by any member.

"Since a vote was taken on the text and the result was a tie, it seems to me that rule 95 is the only rule applicable to the famous paragraph 4 as read out by Mr. Morse a short while ago," the President declared. "It now remains to be seen whether the Assembly wishes to take a decision immediately on the draft resolution, minus the famous paragraph 4, or whether the Assembly wishes to take a decision on a more complete, final draft resolution, one which would not hold any surprises in store for the Assembly, which it certainly does not need," the President added.

MOVE TOWARD ADJOURNMENT

The Representative of Iraq stated that his delegation still "feels very confused and unable to follow what we are supposed to do and to accomplish during the rest of this meeting."

He pointed out that a full text of the revised draft resolution had not yet been made available for distribution, and that the General Assembly was now being called on to vote on a resolution "part of which is still in doubt and, therefore, we do not have it in final form."

He then formally moved for adjournment "for 48 hours."

The Representative of the United Kingdom objected to the propriety of the Iraqi move for adjournment "for 48 hours" under rule 76, because under rule 95 the Assembly must meet within 48 hours to take a second vote on paragraph 4.

The Representative of the United Kingdom then proposed to move to a decision on the rest of the draft resolution.

The President of the Assembly read rule 76:

During the discussion of any matter, a representative may move the suspension or the adjournment of the meeting. Such motions shall not be debated but shall be immediately put to the vote. The President may limit the time to be allowed to the speaker moving the suspension or adjournment of the meeting.

The Representative of Liberia registered his strong opposition to the motion for adjournment made by Iraq: "This question of trying to delay the decision on this vote is, I think, an effort to use some tactics."

The Representative of Senegal reminded the Assembly that rule 76 requires that a motion for adjournment be put to an immediate vote. Addressing the President, he said: "You must immediately put to the vote the motion for adjournment made by the representative of Iraq."

The Representative of Iraq rose to the floor to make a correction on his earlier statement: "What I had intended to propose was that this meeting should be adjourned and reconvened within a period of 48 hours instead of after 48 hours." Nevertheless, he said, his motion is not to be debated and demanded "I request you to put it to the vote."

The Representative of Saudi Arabia argued that the General Assembly was "in the process of voting" and asked "was the motion for adjournment in order, since the voting was in progress?" Then he read rule 88 of the rules of procedure:

After the President has announced the beginning of voting, no representative shall interrupt the voting except on a point of order in connection with the actual conduct of the voting...

The President of the Assembly remarked that the General Assembly was "not in the process of voting" and he recalled the situation. Then he asked the General Assembly to vote on the Iraqi motion for adjournment under rule 76.

The motion for adjournment was rejected by 58 to 54 with 21 abstentions.

VOTE ON THE REVISED DRAFT RESOLUTION A/L.737/REV.1

After the motion for adjournment was defeated, the President called on the General Assembly to vote on the revised draft resolution A/L.737/Rev.1 as read out earlier by the Under-Secretary-General for Political and General Assembly Affairs. The President explained that this revised draft resolution included 1) Saudi Arabia's amendments contained in document A/L.745 with the exception of paragraph 4 and 2) the new operative paragraph 3 proposed by Thailand.

The vote was taken by roll call. Grenada, having been drawn by lot by the President, was called upon to vote first. The following is the result of the vote:

In favor: Grenada, Guatemala, Haiti, Honduras, Indonesia, Iran, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Khmer Republic, Lesotho, Liberia, Luxembourg, Malawi, Malaysia, Mexico, Morocco, Netherlands, New Zealand, Nicaragua, Oman, Panama, Paraguay, Philippines, Qatar, Saudi Arabia, Singapore, Spain, Swaziland, Thailand, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Argentina, Australia, Austria, Bahamas, Barbados, Belgium, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Denmark, Dominican Republic, Ecuador, El Salvador, Fiji, Germany (Federal Republic of)

Against: Guinea, Guinea-Bissau, Guyana, Hungary, Iraq, Kuwait, Libyan Arab Republic, Madagascar, Mali, Malta, Mauritania, Mauritius, Mongolia, Nepal, Niger, Pakistan, Poland, Romania, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Togo, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zaire, Zambia, Afghanistan, Albania, Algeria, Bhutan, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Central African Republic, Chad, China,

Congo, Cuba, Czechoslovakia, Dahomey, Democratic Yemen, Equatorial Guinea, Gabon, Gambia, German Democratic Republic

Abstaining: Iceland, India, Jamaica, Kenya, Laos, Lebanon, Nigeria, Norway, Peru, Portugal, Rwanda, Sweden, Trinidad and Tobago, Tunisia, United Arab Emirates, Bahrain, Bangladesh, Botswana, Burma, Cyprus, Ethiopia, Finland, France, Greece

The text read out by the Under-Secretary-General for Political and General Assembly Affairs was adopted by 56 votes to 54, with 24 abstentions.

EXPLANATION OF VOTE

CHINA: "A SCRAP OF PAPER"

The Permanent Representative of the People's Republic of China to the United Nations, H.E. Huang Hua told the Assembly that "what has just happened is a shame to the United Nations."

H.E. Huang Hua declared that "the purpose of this draft is not only to cover up the aggression and intervention which the United States is still carrying on in Cambodia, but also to ask the United Nations to interfere in the internal affairs of Cambodia and prolong the illegal usurpation of the lawful seat of the Kingdom of Cambodia in the United Nations by the traitorous Lon Nol clique."

H.E. Huang Hua condemned the draft resolution as "a scrap of paper, both to Cambodia and to all countries and peoples that uphold justice. It is utterly null and void and meaningless."

MOROCCO: "PEACEFUL SETTLEMENT"

The Moroccan Representative told the Assembly that "after the coup d'etat" against Prince Sihanouk, Morocco continued to recognize the Royal Government of National Union, "for the simple reason that that Government continued, and continues to control the major part of Cambodian territory."

But, he added, Morocco has a tradition of advocating "peaceful settlement." "We have always urged a dialogue in the solution of the problem." He said that his delegation voted in support of the draft resolution A/L.737/Rev.2 "in

the interests of and for the sake of long-suffering Cambodia and in keeping with its sovereign will, which in our opinion transcends all other considerations."

The General Assembly meeting which began at 3:00PM on Wednesday, November 27, 1974, rose at 12:50AM on Thursday, November 28, 1974.

VIII. FINAL ROUND:
A SECOND VOTE ON
PARAGRAPH 4

CUBA: POINT OF ORDER

On Friday, Nov. 29, 1974, at 10:30AM the General Assembly reconvened to finally dispose of paragraph 4.

Because the vote on paragraph 4 had been a tie, under rule 95 of the rules of procedure, a second vote had to take place within 48 hours of the 1st vote.

THAILAND: POINT OF ORDER

On a point of order, the Thai Representative took the rostrum. On behalf of the sponsors of draft resolution A/L.737/Rev.1, he said that he had offered to withdraw paragraph 4 from the text, but that the rules of procedure had required that paragraph 4 be put to a vote. The result was a tie.

The Thai Representative added:

I come to the rostrum merely to say that I do not think the General Assembly would be very keen to have another lengthy and prolonged debate; so, in order to facilitate the task of the Assembly and to assist in the smooth functioning of the proceedings of the Assembly this morning, I should just like to say that the delegation of Thailand and the other sponsors would like to facilitate the work of the Assembly and intend to vote against the fifth preambular paragraph. We shall reject this proposal, because we feel it is immaterial to the substance of the matter, and I should like to urge all representatives, in the hope that this will be a short meeting and that the proceedings will run smoothly, to reject that paragraph entirely.

SENEGAL: POINT OF ORDER

The Representative of Senegal told the Assembly that the sponsors of draft resolution A/L.733 "are not in the habit of going back on their views" and they will vote against paragraph 4.

He took the opportunity to remind the Assembly that the Thai Representative "did not withdraw that part of the amendment presented by Ambassador Baroody until after the vote which resulted in a tie, and not before as he has just said."

CUBA: POINT OF ORDER

The Cuban Representative endorsed the remarks made by the Representative of Senegal. He re-emphasized that the sponsors of draft resolution A/L.733 are remaining "faithful to certain principles."

The Cuban Representative questioned the Thai Representative's "real desire to facilitate the work of this Assembly." He said that the Thai Representative and the other sponsors of draft resolution A/L.737/Rev.1 violated the rules of procedure of the General Assembly "for the essence of what he said consisted in explaining to us how he and all the sponsors of the above-mentioned document are going to vote on that document, something which is clearly not permissible to the sponsors of a draft resolution."

The President of the Assembly then asked the General Assembly to vote on paragraph 4 which was then becoming the fifth preambular paragraph of draft resolution A/L.737/Rev.2.

A vote was taken by roll-call. Brazil having been drawn by lot by the President, was called upon to vote first.

The following is the result of the vote:

In favor: None

Against: Brazil, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Canada, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Czechoslovakia, Dahomey, Democratic Yemen, Denmark, Dominican Republic, El Salvador, Equatorial Guinea, Fiji, France, Gabon, Gambia, German Democratic Republic, Germany (Federal

Republic of), Greece, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Indonesia, Iraq, Ireland, Israel, Italy, Japan, Jordan, Khmer Republic, Kuwait, Lesotho, Liberia, Libyan Arab Republic, Luxembourg, Madagascar, Malaysia, Mali, Malta, Mauritania, Mauritius, Mongolia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Philippines, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Thailand, Togo, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, United States of America, Upper Volta, Uruguay, Yemen, Yugoslavia, Zaire, Zambia, Afghanistan, Albania, Algeria, Australia, Bahamas, Barbados, Belgium, Bolivia

Abstaining: Burma, Cyprus, Ecuador, Ethiopia, Finland, Ghana, Guatemala, Iceland, India, Iran, Ivory Coast, Jamaica, Kenya, Laos, Lebanon, Mexico, Morocco, Norway, Peru, Portugal, Spain, Sweden, Trinidad and Tobago, Tunisia, United Arab Emirates, Venezuela, Argentina, Austria, Bahrain, Bangladesh, Bhutan, Botswana

The paragraph was rejected by 102 votes to none, with 32 abstentions.

Thus, the text of draft resolution A/L.737/Rev.2 adopted by the General Assembly on Nov.28, 1974 became Resolution 3238 (XXIX).

Following the vote, Senegal, Saudi Arabia, Cuba, Algeria, India and Equatorial Guinea took the rostrum to explain the votes.

SENEGAL: "A MASQUERADE, A FARCE"

The Representative of Senegal told the Assembly that it "has just witnessed a masquerade, a farce that is unworthy of our Organization." He quoted rule 90 which states: "If one or more amendments are adopted, the amended proposal shall then be voted upon" and he spoke of the "manoeuvre" of the sponsors of the draft resolution A/L.737, "in the teeth of common sense, to vote against their own proposal."

The Representative of Senegal declared that draft

resolution A/L.737/Rev.1 dated October 18, 1974 and the revised draft resolution A/L.737/Rev.2 dated November 27, 1974 are in fact two different draft resolutions. The General Assembly voted to give priority to draft resolution A/L.737/Rev.1 and not to A/L.737/Rev.2

The Representative of Senegal further claimed that the draft resolution A/L.737/Rev.2 "is not a revised draft resolution" at all, but it is the "draft resolution in document A/L.745, submitted by Ambassador Baroody, and improperly entitled 'amendments'."

It was that draft resolution which was put to a vote.

The Representative of Senegal also asked the General Assembly to take note that resolution 3238 (XXIX) has no reference to the "right of the Lon Nol Government to represent the Cambodian people as a whole." He pointed out that the vote which just took place in the General Assembly makes it clear that there are two contending parties claiming lawful rights in Cambodia; accordingly, "neither of these two parties has the right to represent, in our Assembly, the people of Cambodia."

SAUDI ARABIA: "TO FACILITATE THE WORK OF GENERAL ASSEMBLY"

The Saudi Arabian Representative explained in detail the interactions he had with the sponsors of draft resolution A/L.737/Rev.1 when he submitted his amendments.

Then he explained why he voted "no" to his own amendment: "I voted 'no' in order to facilitate the work of the Assembly on a text which I said we could do without... that we could do without it if its elimination was essential for expediting our work."

CUBA: "/IT/ QUESTIONS THE LAWFULNESS OF THE LON NOL REPRESENTATION"

The Cuban Representative pointed out that the "document" which was just passed, was submitted "as if it were a draft resolution;" its purpose was "to prevent the Assembly from taking a decision on the only draft resolution on this item," i.e. draft resolution A/L.733, and this was done through "all kinds of manoeuvres, pressures and devices."

He requested that the record of the Assembly note that when the Thai Representative asked for priority, he did so for draft resolution A/L.737/Rev.1 and not for

draft resolution A/L.737/Rev.2. Furthermore, in order to prevent the Assembly from voting on draft resolution A/L.733, the sponsors of the amendments simply voted against their own paragraph.

The Cuban Representative added: "by its very text it explicitly questions the lawfulness of the Lon Nol representation and leaves open the matter of who should lawfully represent Cambodia in the United Nations."

ALGERIA: "OUR DEBATE WILL RESUME AT 30TH SESSION"

The Algerian Representative told the Assembly that "the most acrobatic language, the most skillfull dialectics, the most sophisticated rhetoric cannot transform the farce which we have witnessed today..."

The Algerian Representative warned that "the problem we introduced last year, discussion of which we have continued this year, still stands, and in the same terms... this debate has not ended, and... in spite of the fact that our draft resolution, document A/L.733, will not be put to the vote, our debate will be resumed at the thirtieth session, on the agenda of which the item entitled 'Restoration of the lawful rights of the Royal Government of National Union of Cambodia in the United Nations' still stands."

INDIA: "U.N. GENERAL ASSEMBLY HAS REJECTED DEMOCRATIC PRINCIPLE"

The Indian Representative declared:

With the utmost gravity and dignity and with scrupulous adherence to our rules of procedure, the General Assembly has taken what is in fact an absurd decision: the General Assembly has rejected the democratic principle that the lawful rights of a government emanate from its people.

In the unreal situation, the only proper thing for us to do was to abstain from voting.

EQUATORIAL GUINEA: "ONLY PROLONG BLOODSHED"

The Representative of Equatorial Guinea declared that his delegation voted against paragraph 4 as well as the entire draft resolution A/L.737/Rev.1 "because we feel that it is a paper inked over with words chosen at random." He objected to the General Assembly which gave priority to the original draft but proceeded to vote on the revised draft. He also objected to the sponsors of the draft who turned around to vote against their own paragraph.

"The decision just taken by the General Assembly can only prolong the bloodshed which began four years ago in Cambodia," he concluded.

Thus ended the General Assembly's consideration of item 25.

The General Assembly debate on agenda item 25 which began on Tuesday, November 26, 1974 at 10:30AM, closed on Friday, November 29, 1974 at 1:30PM.

IX. REACTIONS OF MARSHAL LON NOL AND PRINCE NORODOM SIHANOUK

Following the vote in the General Assembly, two documents were circulated in the Assembly. Document A/9962 of December 12, 1974 contained a declaration made by Marshal Lon Nol, President of the Khmer Republic, on November 30, 1974 and submitted to the Secretary-General of the United Nations for circulation by the Permanent Representative of the Khmer Republic on December 3, 1974. Document A/9963 of December 12, 1974 contained declaration made by Prince Norodom Sihanouk, President of the United National Front of Cambodia on November 29, 1974 and submitted to the Secretary-General of the United Nations for circulation by the Permanent Representative of Algeria on December 11, 1974.

Below are a few quotations from each declaration:

DECLARATION BY MARSHAL LON NOL

I wish solemnly to declare on this occasion that the Khmers from this side are ready to enter into negotiations now and without prior conditions. That has been our intention for some time. Last July 9, I made a public offer along these lines to the other side, an offer which I reiterated on August 15, on the occasion of our Armed Forces Day, and again on October 9, on the occasion of the anniversary of the founding of the Republic. Some people took a somewhat cynical attitude toward our offer of negotiations without prior conditions, asserting that it was simply a tactic for preserving the seat of the Republic in the United Nations. They were wrong

That offer was made with complete sincerity and we only regret that it was not initially taken seriously by the other side.

...

The resolution adopted by the United Nations General Assembly asks the Secretary-General of that organization to assist the parties in order to bring about these talks. For our part, we would welcome a visit to Phnom Penh by the Secretary-General, Mr. Waldheim or his representative, to carry out the mandate given him by the General Assembly resolution.

I wish to take this occasion to solemnly declare that my colleagues in the Government of the Khmer Republic and I will abide by the results of the negotiations we decided to undertake in order to bring about national reconciliation and concord...

DECLARATION BY PRINCE NORODOM SIHANOUK

A very recent U.N. resolution voted upon by fifty some Member States invites the United National Front of Cambodia to negotiate peace in Cambodia with the clique of the traitor Lon Nol...

...

To negotiate with the arch-criminal, the arch-traitor and charlatan 'Khmer Republic,' monstrous creation of US 'Frankenstein,' would be to gravely insult in an impardonable fashion the memory of hundreds of thousands Cambodian men and women patriots who, between March 18, 1970 and today, have died fighting the US aggressor and colonizer and its valets in Phnom Penh, Saigon and Bangkok. They died so that Kampuchea can live as an independent, united, indivisible, democratic and non-aligned nation.

... We prefer to die in our turn rather than laying down the arms facing the enemies of our fatherland... (Unofficial translation from the French).
